

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 23 February 2012, I approve the modification of the project application referred to in Schedule 1, subject to the amendments to conditions in Schedule 2.



Heather Warton
Director
Metropolitan and Regional Projects North

Sydney 31 August

2012

SCHEDULE 1

Application No.:	MP10_0214
Proponent:	FDC Construction and Fitout Pty Ltd for SOP8B Pty Ltd
Approval Authority:	Minister for Planning and Infrastructure
Land:	Part Lot 2001 in DP1147230 of Site 8, Murray Rose Avenue, Sydney Olympic Park
Project:	Site 8B Commercial Development, Sydney Olympic Park, including: • construction of a 6 storey commercial building, with a total GFA of 6,313.5sqm, including ground floor retail and 5 commercial floor levels; • two level basement car park, providing 53 car parking spaces and 39 bicycle parking spaces; • associated rooftop mechanical plant and equipment; • building identification signage; • subdivision; and • associated public domain and landscaping works.
Modification Number:	MP10_0214 MOD 1
Modifications:	The proposed changes comprise amendments including: • increase in the size of the approved roof top plant enclosure; • installation of additional rooftop plant and equipment; • installation of a diesel fuel tank within Basement 2; • reduction in the number of car parking spaces by two to 51 spaces; and • deletion of window adjacent to the chamber substation (north elevation).

SCHEDULE 2 CONDITIONS

PART A – ADMINISTRATIVE CONDITIONS

- Delete condition A2 and replace with the following:

Development in Accordance with Plans and Documents

A2. The development will be undertaken in accordance the following drawings and documents:

Environmental Assessment titled <i>Environmental Assessment 8b Murray Rose Avenue, Sydney Olympic Park, Application Number: MP10_0214, prepared by FDC.</i>			
Preferred Project Report titled <i>Proposed Six Storey Commercial Building with Two Storey Basement Car Park, Associated Plant, Signage and Subdivision of Lot 8b at 8b Murray Rose Avenue, Sydney Olympic Park, Application Number: MP10_0214, prepared by FDC as amended by the Section 75W Modification Report titled <i>Proposed Six Storey Commercial Building with Two Storey Basement Car Park, Associated Plant, Signage and Subdivision of Lot 8b prepared by FDC</i></i>			
Statement of Commitments at Schedule 3, prepared by FDC.			
Bates Smart Pty Ltd			
Drawing No.	Revision	Name of Plan	Date
A01.00[02]	Rev 02	LOCATION PLAN	08.07.11
A01.01[B]	Rev B	SITE PLAN	25.06.12
A01.10[02]	Rev 02	PUBLIC DOMAIN INTERFACE PLAN	08.07.11
A03.00[09]	Rev 09	GROUND LEVEL PLAN	08.07.11
A03.001[11]	Rev 11	BASEMENT 1 PLAN	08.07.11
A03.002[F]	Rev F	BASEMENT 2 PLAN	25.06.12
A03.01[B]	Rev B	LEVEL 01 PLAN	25.06.12
A03.02[07]	Rev 07	TYPICAL LEVEL PLAN	08.07.11
A03.06[B]	Rev B	LEVEL 06 PLANT ROOM PLAN	25.06.12
A03.07[B]	Rev B	ROOF PLAN	25.06.12
A07.01[F]	Rev F	SOUTH ELEVATION	25.06.12
A07.02[C]	Rev C	NORTH ELEVATION	25.06.12
A08.01[04]	Rev 04	SECTION 1	08.07.11
A08.02[04]	Rev 04	SECTION 2	08.07.11
A08.04[E]	Rev E	SECTION A	25.06.12

except for:

- any modifications which are 'Exempt and Complying Development' or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
- otherwise provided by the conditions of this approval

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

- **Delete condition B4 and replace with the following:**

Traffic and Parking Details

B4. A total of 51 car parking spaces are to be provided; 8 for retail use, 41 for commercial use, and 2 for persons with a disability.

PART F – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE / PRIOR TO OPERATIONS

- **Delete condition F2 and replace with the following:**

Noise Control – Plant and Machinery

- F2 Prior to occupation of the building a report is to be prepared by a qualified acoustic engineer confirming that the installation and performance of the mechanical systems complies with:
- the recommendations of the *Noise and Vibration Report, prepared by SLR Heggies, dated 3 November 2010*
 - the conclusions of the *Rooftop Diesel Generator- Noise Impact Assessment and Mitigation Measures Report*, prepared by Wood & Grieve Engineers, dated 8 May 2012;
 - the Building Code of Australia;
 - Australian Standard AS1668 and other relevant codes;
 - the project approval and any relevant modifications; and
 - any dispensation granted by the New South Wales Fire Brigade.

- **Insert new condition F18 as follows:**

Diesel Fuel Tank

- F18 Prior to the issue of an Occupation Certification, the diesel fuel tank in the basement of the building must be certified by an appropriately qualified person to comply with *AS1940 Storage and Handling of Flammable and Combustible Liquids*.